



Saint Louis County

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SUMMARY

SUMMARY OF SEPTEMBER 15, 2009 BOARD OF ADJUSTMENT MEETING, 9:00 AM – 2:53 PM, NORTHLAND OFFICE CENTER, VIRGINIA, MINNESOTA.

BOA MEMBERS PRESENT: Coombe, Hendrickson (at 9:05 am, until 1:35 pm), Majkich, Mueller, Pollock, Werschay (at 9:02 am) - 6

BOA MEMBERS ABSENT: Palmer - 1

APPROVAL OF MINUTES FROM AUGUST 18, 2009 MEETING:

In favor: Coombe, Majkich, Mueller, Pollock - 4

Opposed: None - 0

Abstained: None - 0

COMMUNICATIONS: None.

INTERPRETATIONS: Clarification regarding the Board of Adjustment's options regarding the Paul Brunfelt and Lainie Plotnik case.

NEW CASES:

Case 5725 – Norman Peterson (S10, T54N, R17W, Cotton)

Approved a variance to construct an 800 square foot garage with a river setback of 98 feet for reasons that the practical difficulties prevent the structure placement to comply with zoning standards.

Motion by Hendrickson/Majkich, carried 6-0

Case 5726 – Robin Harvey (S24, T51N, R16W, Grand Lake)

Approved a variance to construct a 1,200 square foot garage with a lake setback of 94 feet for reasons that the septic system prevents the structure moving to the west or south because of the pressure feed line.

Motion by Majkich/Coombe, carried 6-0

Case 5727 – Michael Husak (S33, T58N, R16W, Biwabik)

Approved an after-the-fact variance to allow a 20 by 21 foot single family dwelling 19 feet in height located 65 feet from the shoreline of Esquagama Lake and 65 feet from the road centerline to remain for the following reasons:

1. The second dwelling already exists on the lot.
2. The applicants went before the Esquagama Country Club and were approved for their plans. The application they submitted did say a 1 ½ story structure.

With the following condition:

1. A plan to enhance vegetation and protect the shore impact zone shall be submitted.

Motion by Coombe/Majkich, carried 4-2 (Hendrickson, Mueller)

Case 5728 – Lawrence Aronow (S11, T61N, R13W, unorganized)

Approved a variance to allow the expansion of a nonconforming principal structure located within the shore impact zone that does not meet side yard setback; to allow a principal structure 28 feet high; to allow a 15 foot side yard setback for a principal structure; to allow a 41 foot centerline setback for a principal structure and to allow a principal structure with 37 feet of structure width facing the lake. Denied a variance to allow a sauna 30 feet from the lakeshore and to allow a sauna 14 feet in height.

Motion by Coombe/Pollock, carried 6-0

Case 5729 – Ward Nelson (S7, T63N, R12W, Morse)

Approved a variance to construct a 32 by 40 foot 2-story accessory building 35 feet in height located 88 feet from the lake and approved a variance to construct two 16 by 16 foot additions to include a breezeway for the reasons that the Town of Morse has approved this, an 800 square foot accessory building is not large, the applicants did move it further from the lake and the garage will not be seen from the lake, with the following conditions:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim and roof.
2. Existing vegetation and screening in the shore impact zone shall be maintained.
3. Burntside Lakeshore Mitigation Measures shall be required.

Motion by Hendrickson/Majkich, carried 6-0

Case 5730 – Raymond Tanski (S11, T57N, R16W, unorganized)

Denied a variance without prejudice to construct a new garage 63 feet from the road centerline and 11 feet from the road right-of-way in order for the applicants to show appropriate removal and replacement septic area for future use.

Motion by Pollock/Hendrickson, carried 6-0

Case 5731H – Kullen Birkeland (S21, T60N, R21W, French)

Approved a variance with staff recommendations to install a holding tank for year-round use with a road right-of-way setback of 0 feet with the following conditions:

1. An Operating Permit must be obtained annually from the department.
2. The conditions of the operating permit shall include annual submittal of monthly water meter reading and all pumping records.
3. At a minimum, a high level warning light must be installed outside near the holding tank.
4. The applicant must submit a signed contract with a Minnesota State-Licensed septic tank pumper with the Operating Permit application.
5. The existing shallow well must be properly abandoned by a State-Licensed Water Well contractor. The certificate of abandonment must be submitted to the department with the Operating Permit application.

Motion by Werschay/Mueller, carried 5-0

Case 5732 – Brian Mirsch (S36, T51N, R16W, Grand Lake)

Approved a variance to locate a garage 32 feet from the road centerline, to add to a nonconforming dwelling located 24.5 feet and increase the height of the dwelling to 26 feet and allow building coverage of 22.6% with the following conditions:

1. The structure shall be unobtrusive (earth-tone) colors, including siding, trim and roof.
2. The impervious surfaces between the house and garage shall be removed.

Motion by Coombe/Pollock, carried 3-2 (Mueller, Werschay)